

Not used

DE F LOC # 236

Translated by
Defense Language Branch

Excerpt from a Treatise on International Law concerning the
Land Warfare between Russia and Japan

Compiled by ARIGA, Nagao, LL. D., Litt. D., an official
attached to the regular staff of the general Staff Office
Treatise on International Law concerning Land Warfare
between Russia and Japan

Published by the KAIKO-SHA (TN: Military club)

.....(Omitted).....

(From P. 196 to P. 201)

CLAUSE 34 -- The Treatment of Prisoners of War on the
Japanese Mainland

Those prisoners of war to be sent back from Manchuria
to Japan proper were mustered in DAIREN for the time being
and transported by water to UJINA, the military anchorage
headquarters. Near UJINA they were landed for disinfection
on the island of NIJIMA situated in the picturesque Inland
Sea. The wounded and invalid were transported by Japan
Red Cross ships or by army hospital ships with Red Cross
relief members on board.

The healthy prisoners of war were sent by water
from NIJIMA or by rail from UJINA to MATSUYAMA, HAMADERA,
HIMEJI, FUSHIMI, OSAKA, SENDAI and NARASHINO, and interned
in detention camps, army barracks, official residences,
Buddhist temples or in private villas.

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The places for the war prisoners' detention were all selected, the chief considerations being the healthfulness and ease of supervision. Some of the wounded and invalids were interned in hospitals specially set up for prisoner patients and some were received in the reserve hospitals in the remaining divisions as mentioned later. Their medical treatment, in most cases, was entrusted to the Japan Red Cross relief members. At the time of the Russo-Japanese war, there were no definite regulations for treating war prisoners captured in Naval battles. Japan did not like to discriminate with them whether they participated in sea or land warfare, consequently, by the ordinance of the Navy Ministry, a system of entrusting naval prisoners of war to the army was enforced. Notification No. 33 of the Navy Ministry issued on Feb. 17, the 37th year of Meiji. (1904)

Several Russian officers who were accustomed to an everyday life of luxury, discontented with Japanese treatment, gave vent to their dissatisfaction in a Russian newspaper, but according to the testimony of Councillor AKIYAMA, prisoners of war in general expressed their satisfaction with their food and clothing. The article given under P. 83 of the International Law Journal, March issue, the 37th year (of Meiji) (1905) comments: "The daily maintenance expenses for one prisoner of war as stipulated by the Japanese Maintenance Regulations, are small if compared with the cost of living in Europe but

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the expenses are sufficient as the prices of commodities in Japan are so cheap. Among prisoner officers in Port Arthur, there was once a certain officer who had much money with him. By illegal means he sent a message to Russia, in which he mocked at the ridiculously poor amount of war prisoners' allowance. But officers and soldiers in general did not complain on the point at issue.

In regard to observing one's religion, utmost freedom was given to all prisoners of war. Bishop NIKOLAI whom we mentioned under CLAUSE 15, was permitted by our government to dispatch his Japanese priest to every detention camp all over the country to observe Greek Orthodox church service. All other prisoners of war who did not belong to the Greek Church were allowed to observe their services according to their creeds. The two instances that the author learned, were those of rare services, which were equally allowed to be observed as well as other religions. The first instance is that of a group of prisoners who belonged to a certain sect whose name is unknown. As the feast came, for a week they ate no food cooked by persons of another sect, but received rations of meat and vegetables as raw materials which they cooked by their own fire and ate in new vessels never used before by persons of another sect.

They applied for permission to do this, and it was granted. The second instance was that of a few soldiers who belonged to a certain sect.

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When the moon reached a certain phase, they sat up all night and prayed outdoors. All these services were authorised in accordance with the Hague Regulations ARTICLE XVIII.

The prisoner officers or those ranking with them who had their families, were permitted to live with members of their families in private houses within a certain precinct outside a detention camp, after getting an approval of the War Minister and swearing not to escape. All prisoners of war also were allowed to take a free walk within a certain area, after taking an oath not to escape and getting permission of the commanders of garrison headquarters who were to exercising surveillance on them. In MATSUYAMA there were sixteen houses in which prisoners lived with their family members. Among their families, there were some who came over from Russia, and others who stayed in Port Arthur before its capitulation. There was one prisoner of war who was allowed to live in a private house, though his rank was that of a non-commissioned officer, after a special consideration because of repeated supplications on the part of his wife. A matter worthy of special mention here is that there were several prisoners of war, interned at MATSUYAMA, who were released with their families, and living there and returned to their country for a while but came back to MATSUYAMA to settle down after the peace treaty. They are still living there at present. Councillor AKIYAMA says, there was hardly any Russian prisoner of

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war who understood the Japanese language. For these prisoners of war who were interned in Japan proper so far away from their homeland, it was necessary to attach detention camp interpreters who were versed in the Russian language, in order to lessen their melancholy during their internment and satisfy their daily wants. The Imperial Government was most careful in this respect, and, besides appointing officers commissioned and non-commissioned who were versed in English, French, and German, as staff members and other officers of detention camps, they attached 182 Russian interpreters to all detention camps over the country, even though they found it very hard to get these interpreters as many of them were needed for expedition detachments. (The International Law and Comparative Jurisprudence Journal, 1906, P. 711 ff.)

The Russian prisoners of war were permitted to take in foreign newspapers. Among those issued in Japan, "the Japan Times", "the Japan Mail" and "the Japan Gazette" were allowed. "The Times", issued in London, England, "Le Temps", France, "the Sun", U.S.A., "Nord Deutsche Allgemeine Zeitung", Germany and "the Neue Freie Presse", Austria were also permitted. And in the name of so-called presents in ARTICLE XVI of the Hague Treaties, they were allowed to receive books and pamphlets. As the Japanese Government did not desire to have writings violently opposing the enemy government propagated among the prisoners of war, they prohibited the prisoners receiving the magazine

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entitled 'the Russian Revolution' and the magazine named 'the OSPOVOGENIE'. (?) The Russian prisoners of war were also allowed to send and receive mail and telegrams written in one of Japanese, Russian, English, French or German languages through the censorship of the army authorities. They were permitted to receive and send money by postal orders. Their letters, post-cards, parcel post and postal orders were all exempted from duties. As to the prisoners' intelligence service, our Prisoners' Intelligence Bureau informed the French Minister in Tokyo of a Russian war prisoners' roster every week since March 30, 37th year of Meiji (1904). In August of the same year, direct communication was commenced between the Japanese and Russian Intelligence Bureaus; the Russian Prisoners' Intelligence Bureau was to inform the Japanese Legation in Berlin of a Japanese prisoners' roster, while the Japanese Prisoners' Intelligence Bureau was to send a Russian Prisoners' roster to the Russian Legation in Peking. Our Intelligence Bureau gave information of rosters very punctually thrice (on the 5th, 15th and 25) of every month until the end of the war. The Bureau handed over a bunch of these identification cards kept in their office as referential materials for reports concerning the Russian prisoners and deceased in Japan to General DANIELOFF who was dispatched to Japan to receive Russian prisoners of war.

Dr. MARTENS, with a fairness which we are pleased

to mention here, praised Japan's service in regard to the prisoners of war whenever he found an opportunity. Above all, at the Red Cross Treaty Revision Conference held at Geneva in the 39th year of Meiji (1906), and also at the 8th International Red Cross General Meeting held in London in June, 40th year of Meiji (1907), he expressed his views, and called on the Japanese Minister in Russia to express special thanks in his capacity as Director of the Russian Intelligence Bureau.

This is clearly shown in the following official letter [dated Dec. 14, 39th year of Meiji (1906)] transmitted from the Foreign Minister to the War Minister.

"We beg to inform you of the following message from Minister MOTONO in Russia: Dr. MARTENS, Adviser to the Russian Foreign Office and Director of the Russian Prisoners' Intelligence Bureau during the Russo-Japanese War, called on the Minister requesting him to convey his thanks in his official capacity as Director to the Japanese Government for the cordial treatment of Russian Prisoners of war in Japan during the war."

..... (Omitted)

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Statement of Source and Authenticity

I, ENOMOTO, Fuji, who was in charge of ^{affairs} relating to international law in the secretariat of the Navy Department as a councillor, or as professor with the concurrent post of secretary, from 1915 to 1945, and who afterwards assumed office in the Second Demobilization Department, and now in the Second Demobilization Bureau, hereby certify that the document hereto attached in Japanese, consisting of 69 pages and entitled "International Law in the Russo-Japanese War" was obtained ^{by} me for official reference and has been in my custody thenceforth.

Certified at Tokyo,
on this 14th day of January 1947.

ENOMOTO, Fuji Seal
Signature of Official

Witness: MUNAKATA, Shinji

TRANSLATION CERTIFICATE

I, William E. Clarke, of the Defense Language Branch, hereby certify that the foregoing translation described in the above certificate is, to the best of my knowledge and is as near as possible to the meaning of the original document.

/s/ William E. Clarke

Tokyo, Japan

Date : 20 January 1947

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日露陸戰國際法論抜粹

法學博士 有賀長雄 編纂

參謀本部囑託 日露陸戰國際法論

東京偕行社藏 版

(中 略)

(自一九六頁
至二〇一頁)

第三十四節 日本内地ニ於ケル停務經過

滿洲ヨリ日本内地ニ後送スヘキ停務ハ、一旦之ヲ大連ニ集合シ、運送船ノ便ヲ俟テ陸軍ノ碇泊地司令部所在地タル宇品ニ同ク輸送シ、宇品附近ニ於テ風光繪ノ如キ内海ノ似島ニ上陸セシメ、消毒ヲ行ハタリ。停病者ハ、日本赤十字社ノ病院船又ハ同社救護員ノ勸誘スル陸軍病院船ヲ以テ輸送シタリ。而シテ健康者ハ或ハ似島ヨリ船便ニ由リ、或ハ宇品ヨリ鐵道ヲ以テ松山、彦寺、姫路、伏見、大阪、仙臺、磐志野ニ發送シテ停

處收容所又ハ兵營、官舎、寺院又ハ私人ノ別荘等ニ收容シタリ。俘虜抑
留ノ場所ハ孰レモ其ノ健康地タルト監督ノ容易ナルトヲ主タル條件トシ
テ選擇シタルモノナリ。傷病者ハ或ハ俘虜患者ノ爲ニ特ニ開設シタル病
院ニ收容シ、又或ルモノハ留守師團ノ預備病院ニ收容シタルコト後ニ述
ブルカ如シ。而シテ其ノ治療ハ大抵ノ場合ニ於テ日本赤十字社ノ看護員
ニ委託セラレタリ。

日露戦争ノ當時ニ於テ海陸ニ依リ生ジタル俘虜ノ待遇ニ關シテハ一定ノ
規則アラザリシガ、日本ハ海陸ニ依リ差別ヲ爲スコトヲ欲セズ、因リテ
海軍省令ヲ以テ海軍ノ俘虜中ニ陸軍ニ委託スルノ制ヲ設ケラシタリ。

第十七年二月十七日海軍省達第三三三號。

平生營澤ノ生活ニ慣レタル俘虜將校ノ數名ハ日本ノ待遇ニ不満ヲ懷キ、
露國ノ新聞紙ニ不平ヲ瀝シタリト聞、秋山參事官ノ腔言ニ依レバ、俘虜
ハ一般ニ食物、被服等ニ付満足ノ爲ヲ表シタリ。三十八年三月刊行日露
法雜誌八三頁以下日オノ給養規則ニ依リ定メタル俘虜一名一日ノ給養費

ハ、之ヲ歐洲ニ於ケル生活費ニ比スルトキハ實ニ小額ナリト雖、日本ニ於テハ物價低廉ナルニ因リ、之ヲ以テ餘アリトシタリ。

又會テ旅館ニ在リシ伊處將校中ニ、多分ノ金ヲ私有スル者アリテ、不法ノ手段ニ由リ賄賂ニ發信シテ日本ニ於ケル伊處手當金額ノ笑フハク少額ナルコトヲ嘲弄シタリ。然レトモ一般ノ將校、士卒ハ此ノ點ニ於テ平素ナル所アラザリキ。

自己ノ宗旨ヲ遵行スルコトニ就テハ總テノ伊處ニ最大ノ自由ヲ與ヘタリ。第十五節ニ述ヘタルニコワイ主教ハ我カ政府ノ許諾ヲ經テ、其ノ徒弟タル日本人ノ牧師ヲ各收容所ニ派遣シ伊處ノ爲ニ希臘正教ノ禮拜ヲ行ハシメタリ而シテ希臘教會ニ屬セサル他ノ伊處ニモ悉ク其ノ奉スル所ニ隨ヒ禮拜スルコトヲ許シタリ。若者ノ聞クコトヲ得タル二ノ場合ハ、猶有ナル禮拜式タルニ拘ラス、他ノ各宗ト均シク遵行ヲ許サレタリ。其ノ一ハ何宗ナルカ今其ノ宗名ヲ審ニセスト雖、之ニ屬スル一團ノ伊處ハ、祭期ニ至レハ一週間全ク他宗者ノ爲メニ食ハス、肉及野菜ヲ原料ノママニテ支給ヲ受ケ、其ノ自ラ焚ケタル火ヲ以テ自ラ調理シ、之

ヲ帶テ他宗者ノ用ヒサリシ新製ノ器物ニ盛リテ食ヤンヨトヲ願出デ、許
可ヤラレタリ。

其ノ二ノ場合ハ、或ル宗旨ニ屬スル兵卒數名ニ限リ、月ガ一定ノ形狀ニ
達スルトキハ夜渡セズ、戸外ニ在リテ祈禱シタル是レナリ。海牙規則
第十八條ニ依リ終テ此等ノ禮拜式ヲ公許シタリ。

學府將校及同相當官ニシテ家族ヲ有スルモノハ陸軍大臣ノ許可ヲ得、且
逃走ヤサルコトヲ官署シタル上、收容所外一定ノ地區内ニ在ル民屋ニ其
ノ家族ト同棲スルコトヲ許サレタリ。又總テノ學府ハ逃走ヤサルノ官署
ヲ爲シタル上、其ノ監護ノ任ニ在ル衛戍司令官ノ許可ヲ得テ、一定ノ地
域ヲ限リ自由散歩スルコトヲ許サレタリ。松山ニ於テ、家族ト同棲シタ
ル者十六戸アリ、其ノ家族中ニハ益々歸國ヨリ來リシモノアリ、又旅區開
城前ヨリ同地ニ在リシモノアリ、又身分ハ下士ナレトモ其ノ妻女カ反逆切
願シタルニ因リ、特別ノ監護ヲ以テ民屋居住ヲ許サレタル者一人アリ。
其ニ特許スヘキハ、松山ニ收容ヤラレタル俘虜ニシテ其ノ風土生活ヲ喜
ビ、諒和ノ後一旦歸國シテ、又松山ニ來リ、現ニ同地ニ居住スル者數名

アルコト是レナリ。

秋山參事官曰、經國俘虜中、日本語ヲ解スル者ハ殆ト無ク、獨ニヨリ
遠隔ナル帝國内地ニ收容セラルタル俘虜ニ對シ、其ノ拘留中ノ憂鬱ヲ輕
減シ其ノ日常ノ用務ヲ充タシメレニハ彼等ノ國語ニ通スル通譯ヲ必
容所ニ配屬スルノ必要アリタルガ爲ニ、帝國政府ハ最モ此ノ點ニ注意シ
成ルベク英、佛、獨等ノ國語ニ通曉スル將校下士卒ヲ俘虜收容所職員以
下ニ採用シタルノ外、國語通譯ヲ得ントスルニ就テハ、出征部隊ニ其ノ
多數ヲ要シタル爲メ、非常ノ困難ヲ感ジタルニ拘ラズ、各國各俘虜收容
所ニ漏レナク、百八十二名ノ通譯ヲ配屬シタリト。一九〇六年「國際
法及比較法雜誌」七一頁以下。

經國政府ハ日本ノ指定シタル外字新聞ヲ購讀スルコトヲ許サレタリ。即
チ日本内地ニ刊行スルモノニテハ「ジャパン」、「タイムズ」、「ジャパン」、
「メール」及「ジャパン」カセット」ヲ許サレ、英國倫敦刊行ノ「タイム
ズ」、佛國ノ「タム」、合衆國ノ「サン」、獨逸ノ「ノルド」、ドイツコ
、アルゲマイネ、ツァイツング」、奧太利ノ「ノイニ」、フライズ、ブレ

セ」ヲハ許サレタリ。而シテ彼等ハ海牙條約第十六條ノ所謂贈與品ノ名
義ヲ以テ、書籍及冊子ヲ受領スルコトヲ許サレタリ。然レトモ日本政府
ハ敍國政府ニ激烈ニ反對スル文章ヲ俘虜ノ間ニ傳播スルヲ欲セザリシヲ
以テ、「蘇國革命」ト題スル雜誌ト、同國革命黨カ獨進ニ於テ刊行スル
「オーストリアニ」ト云ヘル雜誌トハ受領ヲ許サザリタリ。

又郵傳部身ハ日、露、英、佛、獨語ノ一ヲ以テ記シタル郵便、電信ヲ陸
軍官憲ノ於テ受領スルコトヲ許サレ、又郵便爲替ヲ以テ金銀ヲ受
領スルコトヲ許サレタリ。其ノ信書、端書、小包郵便及郵便爲替ハ總テ
免稅ナリタリ。

陸軍情報勤務ニ付テハ、我が國ノ俘虜情報局ハ三十七年三月三十日以後
毎週一回ソノ在東京俄國公使ニ、我が國ニ在ル俄國俘虜ノ名簿ヲ通知シ
タリ而シテ同年八月ニ至リ日露兩國ノ情報局間ニ直接ノ交通ヲ開キ、露
國俘虜情報局ハ亦日本ノ名簿ヲ在柏林日本公使館ニ通知シ、日本情
報局ノ俘虜俄國人ノ名簿ヲ在北京俄國公使館ニ送附スルコトトシタリ。
我が情報局ハ頗ル正確ニ毎月五日、十五日、二十五日ノ三回ニ名簿ヲ通

知し戦争ノ終ニ至リ、在日本歸國俘虜及其ノ死亡者ニ關シ情報局ニ傳ヘ
置カテ報告ノ材料トナシタル餘々寡ク一括シ、経費受取ノタメ日本ニ派
遣セラルタルダニロフ將軍ニ交付シタリ。

マルテンス博士ハ茲ニ記述スルヲ愉快トスル公平ノ心ヲ以テ、協會ノ有
スル毎ニ日本ノ俘虜ニ關スル勸誘ヲ稱美セラレタリ。就中三十九年、「
ジュネーヴ」ニ於テ開カレタル赤十字條約改正會議ニ於テ、又四十年六
月倫敦ニ開カレタル第八萬國赤十字總會ニ於テ其ノ意ヲ述ベ、又同情報
局長ノ資格ヲ以テ特ニ在日國日本公使ヲ訪問シテ慰解ヲ盡セラレタル
コト、次ノ公文三十九年十二月十四日附外ニ依リ之ヲ見ルコトヲ得ヘシ

大日本臣ヨリ陸軍大臣ニ移牒

日露戰役中俘虜情報局長官タリシ同國外務省顧問博士マルテンス
氏來月五日在同日本野公使ヲ往訪シ、長官ノ資格ヲ以テ戰役中本邦ニ
於タル戰國俘虜ノ取扱方ノ極メテ懇篤ナリシニ對シ正式ニ帝國政府ニ
感謝ノ意ヲ表シ度趣ヲ以テ右傳達方依頼有之候旨、同公使ヨリ具郵有
之候間、右様御承知相成度此段申進候也

(中略)

不 許
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文書ノ出所ニ關スル證明書

一、自分横本重治ハ大正四年カラ昭和二十年迄海軍省參事官又ハ海軍教授
兼海軍書記官等トシテ海軍大臣官房ニ在リ國際法規門係事務ニ關與シ
爾來引續キ第二復員省次デ復員廳第二復員局ニ勤務スル者デア
ル。ニ本證明書ニ添付シタ日本語ニ依リ印刷セラレ六九頁ヨリ成
ル。

「日露陸戰國際法論」

ト題スル書籍ハ職務上參考トシテ入手シ現在迄所持シテキタモノデア
ル。

右各號ハ眞實ナルニトラ證明スル

昭和二十二年一月十四日 於東京

横本重治

右署名捺印ハ自分ノ面前ニ於テ爲サレタリ

同日 於 同 所

立會人

宗 宮 信 次